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MAILED

DEC-30-2003

**OFFICE OF DIRECTOR
GROUP**

In re Application of: :
Takehiko Nomura et al. :
Serial No.: 09/767,231 :
Filed: January 22, 2001 :
For: SILICON PLATFORM FOR OPTICAL MODULES :

**DÉCISION *SUA SPONTE*
WITHDRAWING HOLDING
OF ABANDONMENT**

This is a decision, *sua sponte*, withdrawing the holding of abandonment of the above-identified application.


A final Office action was mailed on January 14, 2003, setting a three-month shortened statutory period for response thereto. In an apparent failure to receive a response, the application was held abandoned and a Notice of Abandonment was mailed on November 6, 2003.

Although no petition or request to withdraw the holding of abandonment in this application has been filed, the Notice of Abandonment is hereby vacated, the holding of abandonment withdrawn and the application restored to pending status in view of the fact that the final Office action was not mailed to a proper correspondence address of record. The file record reveals that a change of address, filed August 12, 2002, for a different application was mistakenly associated with and processed for this application. This change of address incorrectly identifies the application number as that of this file but all other information, including the person signing the change of address, was clearly not for the instant application. The change of address was erroneously processed resulting in the final Office action being mailed to an incorrect address. Because the final Office action was not mailed to the correct address of record, applicant was not duly served notice that a reply to an Office action was required. The application is not abandoned in fact. Inconvenience to the applicant is regretted.

A revocation of power of attorney was filed November 19, 2003. The revocation of power of attorney and the new power of attorney has been accepted.

The application file is being forwarded to the technical support staff for remailing the final Office action. The shortened statutory period for response set therein will be reset to run from the date the action is remailed.

Any inquiry regarding this decision should be directed to Hien H. Phan, Special Program Examiner, at (703) 308-7502.



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